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Our Case Docket No.: BT0100

24 # 3  
1644  
3/1/02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Ansley, Daniel R.  
Serial No.: 09/666,010  
Filed: 09/19/2000  
For: Composition and Method for  
Immunostimulation in Mammals

Group Art Unit: 1644  
Examiner: Jamroz, M. E.

**RECEIVED**

**FEB 26 2002**

**TECH CENTER 1600/2900**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

TRANSMITTAL and PETITION FOR EXTENSION OF TIME (37 CFR §1.136(a))

Sir:

Transmitted herewith is an response to the office action of November 5, 2001 in the above-identified application. Applicants hereby petition for a two month extension of time to respond from the date of the Official Action. Applicant encloses herewith:

Response to the Office Action of November 5, 2001  
Fee for three month extension in the amount \$ 200

This letter is being sent in duplicate.

02/25/2002 JADD01 00000131 09666010

01 FC:216 200.00 OP

Respectfully submitted,

Serle Ian Mosoff  
Attorney for Applicant  
Reg. No. 25,900  
(914) 939-1300

Serle Ian Mosoff  
303 Boston Post Road  
Port Chester, NY 10573

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

1/22/02

Date

SERLE IAN MOSOFF

(Name of person mailing paper)

(Signature of person mailing paper)



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*Election w/EXT(2)  
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Our Case Docket No.: BTI 0100

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Ansley, Daniel R. )  
Serial No.: 09/666,010 )  
Filing Date: 09/19/2000 )  
For: Composition and Method for )  
Immunostimulation in Mammals )

Art Unit: 1644  
Examiner: Jamroz, M. E.

New York, New York  
January 22, 2002

**RECEIVED**

**FEB 26 2002**

**TECH CENTER 1600/2900**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

Please enter this response to the Office Action dated November 20, 2001. Applicant encloses with this response a petition for a two month extension of time.

**IN THE CLAIMS:**

Cancel claims 1-20.

**REMARKS**

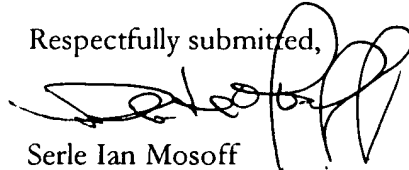
Pursuant to the restriction requirement applicant elects to prosecute Group III comprising claims 21-27. ✓

The examiner further requires applicant to elect a specific use of a specific composition of a specific molecular weight. Applicant respectfully traverses this requirement and suggests that the examiner has not properly understood the crux of applicant's invention.

Applicant is not claiming a specific composition of matter having a specific molecular weight but rather a biologically obtained fraction from the serum of a mammal that has the characteristics defined in the specification. The mode of operation of the inventive composition is such that it operates on the immune system of the animal and modulates the animal's own defenses. It is thus not related to a specific disease state. Further, since it relates to the immune system of the animal and all animals of the same genus have the same immune system, the immunomodulation effect demonstrated in one species defines the response of other members of the genus.

Notwithstanding the above, applicant elects, for initial prosecution purposes, goat serum as the source, canine as the species treated, molecular weights of 60,000 or less as the molecular weight, and *parovirus* as the challenge. Claims 21-23 read on the elected species.

Respectfully submitted,

  
Serle Ian Mosoff  
Registration No. 25,900  
Attorney for Applicants

Law Offices at Sound Shore  
303 Boston Post Road  
Port Chester, NY 10573  
914 939-1300

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**CERTIFICATE OF MAILING (37 CFR 1.8a)**

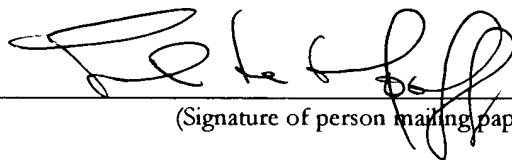
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1/22/02

Date

SERLE IAN MOSOFF

(Name of person mailing paper)



(Signature of person mailing paper)

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Commissioner of Patents and Trademarks  
Washington, D.C. 20231

